



Dkt. 0575/56615-A-PCT-US/JPW/JML

Section #
#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Rodney Rothstein, et al.
U.S. Serial No.: 09/814,661
Filed : March 22, 2001
For : A SMALL PROTEIN THAT INTERACTS WITH A
RIBONUCLEOTIDE REDUCTASE SUBUNIT AND USES
THEREOF

1185 Avenue of the Americas
New York, New York 10036
August 10, 2001

Confirmation No.: 2135

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

08/15/2001 MABDT1 00000093 09814661

02 FC:215

25.00 CH

30.00 PD

COMMUNICATION IN RESPONSE TO

JUNE 7, 2001 NOTICE TO FILE MISSING

PARTS OF APPLICATION UNDER 37 C.F.R. §1.53(b)
AND PETITION FOR A ONE-MONTH PETITION OF TIME

This Communication is submitted in reply to a Notice to File Missing Parts of Application under 37 C.F.R. §1.53(b) Filing Date Granted by the U.S. Patent and Trademark Office in connection with the above-identified application on June 7, 2001, a copy of which is enclosed as **Exhibit A**. The surcharge for responding to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53(b) is SIXTY FIVE DOLLARS (\$65.00) for a small entity. Applicants attach hereto as **Exhibit C** a signed, Verified Statement Claiming Small Entity Status and maintain that small entity status is applicable. In accordance with the Notice, the deadline for submitting a response was August 7, 2001. Applicants hereby request a one-month extension of time from August 7, 2001 to September 7, 2001. A check including the one-month extension of time fee for a small entity of FIFTY-FIVE

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DOLLARS (\$55.00) is enclosed herewith. Thus, a reply is now due September 7, 2001 and this Amendment is being timely filed.

Applicants submit herewith as **Exhibit B** a Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(d) and in compliance with 37 C.F.R. §1.63. The Declaration refers to the application's above-identified serial number and filing date.

Sequence Listing

The June 7, 2001 Notice indicates that the application fails to comply with the requirements under 37 C.F.R. §1.821(e). The Notice further specifies that applicant must provide a statement that the content of the paper copy of the Sequence Listing and computer readable copy of the Sequence Listing are the same and include no new matter.

In reply, applicants submit herewith a new Sequence Listing attached hereto as **Exhibit D** in compliance with the requirements of 37 C.F.R. §1.824. In addition, applicants submit herewith a computer readable copy of the Sequence Listing on the enclosed computer diskette, which has the same content as the paper copy attached as **Exhibit D**. Applicants submit as **Exhibit E**, a Statement in accordance with 37 C.F.R. §1.821(f) certifying that the computer readable form containing the nucleic acid and/or amino acid sequences required by 37 C.F.R. §1.821(f) and submitted in connection with the above-identified application, has the same information which is submitted herewith as **Exhibit D** entitled "Sequence Listing".

Thus, applicants maintain that the application now complies with the requirements of 37 C.F.R. §1.824.

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If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone at the number provided below.

No fee, other than the enclosed \$65.00 surcharge fee and the \$55.00 extension of time fee, is deemed necessary in connection with the filing of this Communication. If any additional fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Jane M. Love

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Honorable Commissioner of Patents and Trademarks - Washington, D.C. 20231

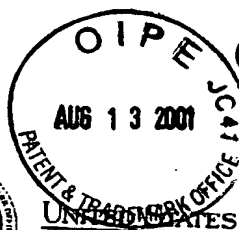
Jane M. Love 8/10/01

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Date

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EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/814,661	03/22/2001	Rodney Rothstein	56615-A-PCT-US

CONFIRMATION NO. 2135

FORMALITIES LETTER



OC000000006156878

Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036

Date Mailed: 06/07/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

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